

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SOLAS OLED LTD.,

Plaintiff,

Case No. 6:19-cv-00236-ADA

v.

LG DISPLAY CO., LTD.,
LG ELECTRONICS, INC., and
SONY CORPORATION,

Defendants.

SCHEDULING ORDER

On December 6, 2019, the Court conducted a conference in the above entitled and numbered case. All parties appeared through counsel. As a result of such hearing, and pursuant to Rule 16, Federal Rules of Civil Procedure, the Court **ORDERS** that the following schedule will govern deadlines up to and including the trial of this matter:

| Deadline | Item |
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| Tuesday, November 26, 2019 | Plaintiff serves preliminary infringement contentions ¹ in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (<i>i.e.</i> the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit. |

¹ The parties may amend preliminary infringement contentions and preliminary infringement invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served and should do so reasonably upon identifying any such material. Any amendment to add claims requires leave of court so that the Court can address any scheduling issues.

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| Friday, December 20, 2019 | Deadline for Motions to Transfer |
| Friday, January 24, 2020 | Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the prior two years, unless the parties agree to some other timeframe. |
| Friday, February 7, 2020 | Parties exchange claim terms for construction. |
| Friday, February 21, 2020 | Parties exchange proposed claim constructions. |
| Friday, February 28, 2020 | Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall also provide a summary of the witness's expected testimony including the opinions to be expressed and a general description of the basis and reasons therefore. A failure to summarize the potential expert testimony in a good faith, informative fashion may result in the exclusion of the proffered testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced. |
| Friday, March 6, 2020 | Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions. |
| Friday, March 13, 2020 | Parties file Opening claim construction briefs, including any arguments that any claim terms are indefinite. |
| Friday, April 3, 2020 | Parties file Responsive claim construction briefs. |
| Friday, April 17, 2020 | Parties file Reply claim construction briefs. |
| Friday, April 24, 2020 | Parties submit Joint Claim Construction Statement and consolidated briefing collated by Opening, Response, and Reply in Microsoft Word format. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings. |

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| Friday, May 22, 2020 | Markman Hearing at 9:00 a.m. |
| Friday, May 29, 2020 | Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a). |
| Monday, July 6, 2020 | Deadline to add parties. |
| Friday, July 17, 2020 | Deadline to serve Final Infringement and Invalidity Contentions. |
| Friday, August 14, 2020 | Deadline to amend pleadings. A motion is not required unless the amendment adds patents or claims. |
| Friday, October 30, 2020 | Close of Fact Discovery. |
| Friday, November 6, 2020 | Opening Expert Reports. |
| Friday, December 4, 2020 | Rebuttal Expert Reports. |
| Wednesday, December 23, 2020 | Close of Expert Discovery. |
| Friday, January 8, 2021 | Deadline to meet and confer to discuss narrowing the number of claims asserted and prior art references at issue. The parties shall file a report within 5 business days regarding the results of the meet and confer. |
| Friday, January 15, 2021 | Dispositive motion deadline and <i>Daubert</i> motion deadline. |
| Friday, January 29, 2021 | Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations). |
| Friday, February 12, 2021 | Serve objections to pretrial disclosures/rebuttal disclosures. |
| Friday, February 19, 2021 | Serve objections to rebuttal disclosures and File Motions <i>in limine</i> . |
| Friday, February 26, 2021 | File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> . |
| Friday, March 5, 2021 | Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> . |
| 3 business days before Final Pretrial Conference. | File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> . |
| | Final Pretrial Conference. The Court expects to set the Pretrial Conference within 2-4 weeks of the trial date. |

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| | Jury Selection/Trial. The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing. |
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SIGNED this day of _____, 20 ____.

ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE